

Applicant: Kevin L. Farley, et al.
Application No.: 09/630,024

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 44-72 are currently pending in this application. Claims 44, 47-49, 53, 56, 59, 62-64 and 71 are amended. Claims 1-43 were cancelled in a previous amendment without prejudice. No new matter is introduced herein.

Request for Continued Examination

Withdrawal of the finality of the outstanding Office Action is respectfully requested as a Request for Continued Examination (RCE) pursuant to 37 C.F.R. §1.114 is filed along with this Reply.

Claim Rejections - 35 USC §103

Claims 44, 49 and 59 are rejected under 35 U.S.C. 103(a) as obvious over the combination of US 6,141,347 to Shaughnessy (hereinafter Shaughnessy) and WO 01 82645 to Emilsson (hereinafter Emilsson). Applicants respectfully submit, however, that these claims are allowable over the combination of Shaughnessy and Emillson for the reasons set forth below.

Applicants' claim 44, as currently amended, recites:

...receiving a multicast group paging message, via a first one of a plurality of wireless channels, indicating a second one of the plurality

of wireless channels associated with one or more connection identifiers over which to receive a multicast message.

(Emphasis added). This feature may be found, for example, in Applicants' originally filed specification at page 7, lines 22-24.

Emilsson discloses a method wherein a base station broadcasts, over a single channel, a multicast message intended to be received and decoded only by a select group of user stations (e.g., a multicast group). Only user stations belonging to the group have a key that enables them to decode the message. Thus, while all user stations within range may receive the message, only user stations belonging to the group may decode the received message. See Emilsson at page 5, lines 11-21 and page 5, line 32 through page 6, line 6. Emilsson, therefore, discloses broadcasting a single transmission on one channel whereby all subscriber units within range may receive the message but only subscriber units possessing the key may decode the message.

Applicants' claim 44, on the other hand, describes two transmissions. A first transmission (a "paging message") is received by a subscriber unit on a first channel. The paging message indicates to the user stations that certain user stations (e.g., the ones belonging to a particular multicast group) should listen on a second channel in order to receive a message. Thus, in Applicants' claim 1, two transmissions are received on two different channels. User stations belonging to

the multicast group know to listen for the message on a particular channel (the “second channel”) because the first message sent on the “first channel” includes, for example, connection identifiers corresponding to the user stations associated with the group.

Accordingly, Applicants’ claim 44 differs from Emilsson at least because Emilsson does not disclose the use of two transmissions broadcast on two separate channels (namely, a “first channel” and a “second channel”). Thus, Emilsson does not disclose “receiving a multicast group paging message, via a first one of a plurality of wireless channels, indicating a second one of the plurality of wireless channels associated with one or more connection identifiers over which to receive a multicast message,” as recited in Applicants’ claim 44.

Shaughnessy does not make up for the deficiency of Emillson. Indeed, the Examiner admits that “the Shaughnessy reference does not specifically disclose the method comprising: receiving a paging message, via one of a plurality of wireless channels, indicating an allocated single wireless channel associated with one or more connection identifiers over which to receive a multicast message, wherein the paging message is sent to the multicast group.” See Office Action at page 4, lines 8-13.

Accordingly, for at least the reasons provided above, claim 44 is allowable over the combination of Shaughnessy and Emillson.

Independent claims 49 and 59, while not identical to claim 44, include features similar to claim 44. Accordingly, claims 49 and 59 are also allowable over the combination of Shaughnessy and Emillson for at least the same reasons provided above with respect to claim 44.

Claims 45-50, 53-57, 62-64, 68-72 and 60 are rejected under 35 U.S.C. 103(a) as obvious over the combination Shaughnessy, Emilsson and US 5,930,248 to Langlet (hereinafter Langlet). Langlet fails to make up for the deficiency of Emillson set forth above with respect to claim 44 because Langlet is directed to allocating multicast and non-multicast channels based on the propagation property of an RF link between a mobile unit and a base station and does not disclose “receiving a multicast group paging message, via a first one of a plurality of wireless channels, indicating a second one of the plurality of wireless channels associated with one or more connection identifiers over which to receive a multicast message,” as claimed.

Independent claim 64, while not identical to claim 44, includes features similar to claim 44. Accordingly, claim 64 is also allowable over the combination of Shaughnessy, Emillson and Langlet for at least same reasons provided above.

Claims 45-48 depend upon independent claim 44. Claims 50 and 53-57 depend upon independent claim 49. Claims 60 and 62-63 depend upon independent claim 59. Claims 68-72 depend upon independent claim 64. Accordingly, these

claims are allowable over the cited references of record for the same reasons provided above.

Claims 51, 52, 58, 66 and 67 are rejected under 35 U.S.C. 103(a) as being obvious over the combination of Shaughnessy, Langlet, Emilsson as applied to claims 1, 13, and 29-31, above, and US 6,308,079 to Pan, et al. (hereinafter Pan). Pan fails to make up for the deficiency of Emilsson set forth above with respect to claim 44 because Pan is directed to the use of talk groups which include subsets of the talk groups that are listening groups and does not disclose “receiving a multicast group paging message, via a first one of a plurality of wireless channels, indicating a second one of the plurality of wireless channels associated with one or more connection identifiers over which to receive a multicast message,” as claimed.

Claims 51, 52 and 58 depend upon independent claim 49, and claims 66 and 67 depend upon independent claim 64. Accordingly, these claims are allowable over the cited references of record for the reasons provided above.

Based at least on the arguments presented above, withdrawal of the 35 U.S.C. §103 rejection of claims 44-72 is respectfully requested.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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